

Objection to Proposed Lawton Family Marina (Docket #2021-P-W-0001)

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To: HearingComments, DNREC (MailBox Resources) <DNRECHearingComments@delaware.gov>

Cc: Calder, Gayle H. (DNREC) <Gayle.Calder@delaware.gov>; Molina, Julie (DNREC) <Julie.Molina@delaware.gov>; Vest, Lisa A. (DNREC) <Lisa.Vest@delaware.gov>

Dear Ms. Vest --

After attending the 2/24/21 public hearing regarding the Lawton Family Marina, we have significant concerns about this proposed project and wish to express our objection.

We live in the Villages of Herring Creek HOA at 23962 Sundance Lane. Our home is waterfront, almost opposite to the proposed Lawton marina, and we are one of the 9 private docking facilities on the north shore that were referenced during the hearing.

Ms. Maurmeyer, the Lawton consultant, stated that from these 9 private docks there was potential for 36 vessels, and that the proposed marina would not be adding a "great amount to what theoretically could be moored at the existing structures." However, it is not at all possible to moor 36 vessels on the north shore docks due to water depths and the proximity of the docks to each other. Additionally, these docks were not permitted by DNREC for the mooring of 4 vessels. In reality, there are approximately 7 boats in total moored at these north shore docks, and even fewer on the south shore, so the Lawton 10 slip marina would be doubling boat volumes in an already very busy section of Herring Creek. This added volume is of great concern to us for navigation and safety reasons, as this section of the Creek, because of its width, is heavily used by people of all ages and abilities for recreational activities such as jet skiing, water skiing, tubing, kayaking, paddle boarding, crabbing, fishing, etc.

In addition, the proposed marina would be located right where this wider section of Herring Creek starts to narrow, as vessels travel back and forth from Rehoboth Bay. Building a marina in this narrower spot would further restrict the amount of navigable space in the boating channel, making transiting to and from the Bay more dangerous. The proposed marina would also be located very close to where the water is deepest, and where hundreds of upstream vessels routinely transit at high speed. Since 8 of the 10 proposed slips do not have lifts, boats moored in those wet slips could be damaged due to the high speed traffic. If this proposed marina is built, and a no wake zone is now or ever imposed, it would be unfair and detrimental to all Herring Creek boaters who would be required to limit speeds and restrict their recreational activities for the benefit of the Lawton Family.

In our opinion, a 10 slip marina is out of character with all of the other residential docks and piers in this section of Herring Creek. All current docks and piers are built waterfront, off each individual residential property. There is no doubt who owns each property and each structure, and who is accountable for maintenance, safety, and for monitoring hygiene, noise, and behavior of the dock and pier users. It is not at all clear to us who would be accountable for a family marina in this case. What is clear to us is that there will be increased potential for negative environmental impact if there is inadequate care and accountability for the proposed marina.

It seems to us that a more appropriate request would be for a single residential private dock with 2

lifts, waterfront off the Lawton property. This would be more in line with what all other nearby waterfront residents have. Elimination of the wet slips would also eliminate potential wake zone issues now and in the future.

Thank you for your consideration.

Carlo & Teresita Businelli

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Tessie Businelli Sent from my iPhone